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MAY 19 2006

OFFICE OF PETITIONS

In re Application of :
Kubota et al. : DECISION ON
Application No. 09/990,408 : PETITION
Filed: November 21, 2001 :
Atty Docket No. K35RA0060.D :
:

This is a decision on the petition under 37 CFR 1.137(b), filed February 9, 2006.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to pay the Issue Fee and Publication Fee within three months of the mailing date, January 21, 2005, of the Notice of Allowance and Fee(s) Due. This Office action set a three-month nonextendable statutory period for reply. No reply having been received, the above-identified application became abandoned on April 22, 2005. A courtesy Notice of Abandonment was mailed on August 22, 2005.

The petition included required reply¹ in the form of payment of the Issue Fee and Publication Fee; payment of the petition fee set forth in 37 CFR § 1.17(m); and the required statement of unintentional delay. No terminal disclaimer is required.

The Office of Patent Publication has been advised of this decision.

¹ There was no distinct but concurrent requirement for new drawings.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson". The signature is fluid and cursive, with the first name "Nancy" written in a larger, more prominent script than the last name "Johnson".

Nancy Johnson
Senior Petitions Attorney
Office of Petitions